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1       **\*b0110/1.2\* 910.** Page 867, line 7: after that line insert:

2       **\*b0110/1.2\* "SECTION 1751v.** 93.46 (2) (e) of the statutes is created to read:

3       93.46 (2) (e) The department may not award a total of more than \$380,000 in  
4       a fiscal year for grants under this subsection and s. 93.47. The department may not  
5       make a grant under this subsection or s. 93.47 that exceeds 75 percent of project  
6       costs."

7       **\*b0114/1.2\* 911.** Page 867, line 7: after that line insert:

8       **\*b0114/1.2\* "SECTION 1751h.** 93.29 (3) of the statutes is created to read:

9       93.29 (3) The department may not make a grant under sub. (1) after June 30,  
10       2014."

11       **\*b0110/1.3\* 912.** Page 867, line 10: after "digesters" insert "and biodiesel  
12       technology".

13       **\*b0110/1.4\* 913.** Page 867, line 12: after "waste" insert ", including forestry  
14       waste,".

15       **\*b0110/1.5\* 914.** Page 867, line 14: after "wastes" insert ", including forestry  
16       wastes,".

17       **\*b0110/1.6\* 915.** Page 867, line 15: after "wastes" insert ", including forestry  
18       wastes".

19       **\*b0110/1.7\* 916.** Page 867, line 19: after "implementation." insert "The  
20       department may not make a grant under this subsection that exceeds 50 percent of  
21       project costs."

22       **\*b0110/1.8\* 917.** Page 867, line 19: after that line insert: /

23       **\*b0110/1.8\* "SECTION 1752d.** 93.47 (2) of the statutes is amended to read:

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E

1           93.47 (2) The department may award grants from the appropriation accounts  
2 under s. 20.115 (4) (c) and (r) and (8) (g) to individuals or organizations to fund  
3 demonstration projects designed to encourage the use of sustainable agriculture.  
4 The department shall promulgate rules to govern the sustainable agriculture grant  
5 program under this section.”.

6           **\*b0111/2.1\* 918.** Page 867, line 19: after that line insert:

7           **\*b0111/2.1\* “SECTION 1752m.** 94.64 (4) (a) 5. of the statutes is amended to  
8 read:

9           94.64 (4) (a) 5. An agricultural chemical cleanup surcharge of ~~86~~ 63 cents per  
10 ton on all fertilizer that the person sells or distributes in this state after June 30,  
11 2005, unless the department establishes a lower surcharge under s. 94.73 (15).”.

12           **\*b0208/P3.2\* 919.** Page 867, line 19: after that line insert:

13           **\*b0208/P3.2\* “SECTION 1752c.** 93.46 (4) of the statutes is created to read:

14           93.46 (4) The department may not make a grant under this section for an  
15 ethanol production facility on which construction begins after the effective date of  
16 this subsection .... [revisor inserts date], unless a competitive bidding process is used  
17 for the construction of the ethanol production facility.

18           **\*b0208/P3.2\* SECTION 1752f.** 93.75 (1) (intro.) of the statutes is amended to  
19 read:

20           93.75 (1) ELIGIBILITY. (intro.) Beginning on July 1, 2001, the department shall  
21 administer a program under which the department makes payments to a person who  
22 produces ethanol ~~and who satisfies~~ if all of the following criteria are satisfied:

23           **\*b0208/P3.2\* SECTION 1752g.** 93.75 (1) (d) of the statutes is created to read:

1           93.75 (1) (d) If construction of the ethanol production facility begins after the  
2 effective date of this paragraph .... [revisor inserts date], a competitive bidding  
3 process is used for the construction of the ethanol production facility.”.

4           **\*b0113/1.1\* 920.** Page 868, line 24: delete the material beginning with that  
5 line and ending with page 869, line 6.

6           **\*b0115/1.6\* 921.** Page 869, line 6: after that line insert:

7           **\*b0115/1.6\* “SECTION 1756d.** 95.60 (2) (d) of the statutes is repealed. ✓

8           **\*b0115/1.6\* SECTION 1756e.** 95.60 (2) (e) of the statutes is created to read: ✓

9           95.60 (2) (e) The department shall provide the department of natural resources  
10 with a copy of each application for a permit under par. (a) and of each permit issued  
11 under par. (a). ✓

12           **\*b0115/1.6\* SECTION 1756g.** 95.60 (4s) (b) of the statutes is amended to read:

13           95.60 (4s) (b) ~~In consultation with the department of natural resources,~~  
14 ~~promulgate~~ Promulgate rules specifying fish health standards and requirements for  
15 certifying that fish meet those standards for the purpose of s. 29.736. ✓

16           **\*b0115/1.6\* SECTION 1756h.** 95.60 (4s) (d) of the statutes is amended to read:

17           95.60 (4s) (d) ~~In consultation with the department of natural resources,~~  
18 ~~promulgate~~ Promulgate rules specifying diseases and requirements for certifying  
19 that fish are free of those diseases for the purposes of sub. (2) (b). ✓

20           **\*b0115/1.6\* SECTION 1756i.** 95.60 (6) (a) of the statutes is renumbered 95.60

21 (6). ✓

22           **\*b0115/1.6\* SECTION 1756j.** 95.60 (6) (c) of the statutes is repealed. ✓

23           **\*b0115/1.6\* SECTION 1756L.** 95.60 (9) of the statutes is created to read: ✓

1           95.60 (9) The department of natural resources is subject to this section, except  
2 for the fees under sub. (5).”.

3           **\*b0130/1.6\* 922.** Page 869, line 7: delete the material beginning with that  
4 line and ending with page 886, line 22.

5           **\*b0144/1.2\* 923.** Page 886, line 22: after that line insert:

6           **\*b0144/1.2\* “SECTION 1769L.** 100.18 (2) (d) of the statutes is created to read:

7           100.18 (2) (d) Notwithstanding par. (a) 1., a retailer is not required to state in  
8 an advertisement or other representation the amount of a fee charged by the retailer  
9 to recover the cost to the retailer of registering, and obtaining certificates of title for,  
10 motor vehicles that the retailer offers for rent, if the fee is calculated so that the total  
11 of all such fees collected by the retailer in a year will, as closely as practicable, equal  
12 the actual cost to the retailer of registering, and obtaining certificates of title for,  
13 motor vehicles that the retailer offers for rent. Notwithstanding par. (a) 2., for the  
14 rental of a motor vehicle a retailer may charge, in addition to the regular price, a fee  
15 under this paragraph.

16           **\*b0144/1.2\* SECTION 1769m.** 100.18 (2) (e) of the statutes is created to read:

17           100.18 (2) (e) If, in any year, the total fees collected by a retailer under par. (d)  
18 exceed the actual cost to the retailer in that year of registering, and obtaining  
19 certificates of title for, the motor vehicles that the retailer offers for rent, the excess  
20 fees shall be used to offset the amount of a fee under par. (d) that is charged by the  
21 retailer in the following year.

22           **\*b0144/1.2\* SECTION 1769n.** 100.18 (2) (f) of the statutes is created to read:

23           100.18 (2) (f) Beginning in 2007, annually, not later than March 1, a retailer  
24 that collects a fee under par. (d) shall submit to the department, on a form provided

1 by the department, a report stating the total amount of such fees collected in the  
2 preceding year and stating the total amount expended by the retailer to register, and  
3 obtain certificates of title for, the motor vehicles that the retailer offers for rent. A  
4 dealer submitting a report under this paragraph shall also pay to the department a  
5 fee of \$75. A retailer that offers motor vehicles for rent at more than one location or  
6 franchise may submit a single report and fee for all of the retailer's locations or  
7 franchises.”.

8 \*b0202/P3.2\* **924.** Page 886, line 22: after that line insert:

9 \*b0202/P3.2\* “SECTION 1779t. 100.20 (1n) of the statutes is created to read:

10 100.20 (1n) It is an unfair method of competition or an unfair trade practice  
11 for any person to sell cigarettes to consumers in this state in violation of s. 139.345.”.

12 \*b0331/2.2\* **925.** Page 886, line 22: after that line insert:

13 \*b0331/2.2\* “SECTION 1829p. 101.143 (9m) (g) 2. of the statutes is amended

14 to read:

15 101.143 (9m) (g) 2. Revenue obligations issued under this subsection may not  
16 exceed ~~\$436,000,000~~ \$386,924,000 in principal amount, excluding any obligations  
17 that have been defeased under a cash optimization program administered by the  
18 building commission. In addition to this limit on principal amount, the building  
19 commission may contract revenue obligations under this subsection as the building  
20 commission determines is desirable to fund or refund outstanding revenue  
21 obligations, to pay issuance or administrative expenses, to make deposits to reserve  
22 funds, or to pay accrued or capitalized interest.”.

23 \*b0240/2.1\* **926.** Page 886, line 22: after that line insert:

1           **\*b0240/2.1\*** “SECTION 1830e. 101.63 (3m) of the statutes is renumbered  
2           101.657 (1) and amended to read:

3           101.657 (1) ~~Contract~~ The department shall contract with a private  
4           organization to provide education regarding construction standards and inspection  
5           requirements under this subchapter and under rules promulgated under this  
6           subchapter to builders of dwellings in this state.

7           (4) Each contract under sub. (1), (2), and (3) shall be a separate contract. The  
8           department ~~may only contract with an organization under this subsection if the~~  
9           ~~organization is~~ is limited for these contracts to contracting only with organizations  
10          that are described in section 501 (c) (6) of the Internal Revenue Code and ~~is~~ are  
11          exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

12          **\*b0240/2.1\*** SECTION 1830g. 101.657 (title) of the statutes is created to read:

13          **101.657 (title) Education contracts for builders and consumers.**

14          **\*b0240/2.1\*** SECTION 1830h. 101.657 (2) of the statutes is created to read:

15          101.657 (2) The department shall contract with a private organization to  
16          provide education regarding business practices to builders of dwellings in this state.

17          **\*b0240/2.1\*** SECTION 1830j. 101.657 (3) of the statutes is created to read:

18          101.657 (3) The department shall contract with a private organization to  
19          provide education regarding the dwelling building process to consumers in this state.  
20          The education curriculum shall include selecting a contractor, the construction  
21          process, and consumer protection.

22          **\*b0240/2.1\*** SECTION 1830m. 101.657 (5) of the statutes is created to read:

23          101.657 (5) From the appropriation under s. 20.143 (3) (j), beginning with fiscal  
24          year 2005–06, the department shall allocate \$100,000 annually for the contract

1 required under sub. (2) and at least \$600,000 annually for the contract required  
2 under sub. (3).”.

3 ✓ **\*b0374/1.5\* 927.** Page 886, line 23: delete lines 23 to 25.

4 ✓ **\*b0374/1.6\* 928.** Page 887, line 1: delete lines 1 to 5.

5 ✓ **\*b0129/1.2\* 929.** Page 887, line 6: delete lines 6 to 23.

6 ✓ **\*b0036/1.9\* 930.** Page 887, line 24: delete the material beginning with that  
7 line and ending with page 888, line 13.

8 ✓ **\*b0034/1.3\* 931.** Page 888, line 14: delete lines 14 to 24.

9 ✓ **\*b0128/2.14\* 932.** Page 888, line 25: delete that line.

10 ✓ **\*b0128/2.15\* 933.** Page 889, line 1: delete lines 1 to 25.

11 ✓ **\*b0128/2.16\* 934.** Page 890, line 1: delete lines 1 to 14 and substitute:

12 ✓ **\*b0128/2.16\* “SECTION 1834v.** 106.12 (title) of the statutes is repealed. ✓

13 ✓ **\*b0128/2.16\* SECTION 1834x.** 106.12 (1) of the statutes is repealed. ✓

14 **\*b0128/2.16\* SECTION 1835d.** 106.12 (2) of the statutes is renumbered 106.12  
15 and amended to read: ✓

16 **106.12 Employment and education program administration.** The board  
17 department shall plan, coordinate, administer, and implement the youth  
18 apprenticeship program under s. 106.13 (1) and such other employment and  
19 education programs as the governor may by executive order assign to the board  
20 department. Notwithstanding any limitations placed on the use of state employment  
21 and education funds under this section or s. 106.13 or under an executive order  
22 assigning an employment and education program to the board department, the  
23 board department may issue a general or special order waiving any of those

1 limitations on finding that the waiver will promote the coordination of employment  
2 and education services.

3 **\*b0128/2.16\* SECTION 1835g.** 106.12 (3) of the statutes is repealed.

4 **\*b0128/2.16\* SECTION 1835m.** 106.12 (4) of the statutes is renumbered 38.40  
5 (4r) and amended to read:

6 38.40 (4r) PUBLICATIONS AND SEMINARS. The board may provide publications and  
7 seminars relating to the employment and education programs administered by the  
8 board and may establish a schedule of fees for those publications and seminars. Fees  
9 established under this subsection for publications and seminars provided by the  
10 board may not exceed the actual cost incurred in providing those publications and  
11 seminars. The fees collected under this subsection shall be credited to the  
12 appropriation account under s. 20.445 (7) 20.292 (1) (ga).

13 **\*b0128/2.16\* SECTION 1835p.** 106.13 (title) of the statutes is amended to read:

14 **106.13 (title) Youth apprenticeship, school-to-work and work-based**  
15 **learning programs program.**

16 **\*b0128/2.16\* SECTION 1837d.** 106.13 (2) of the statutes is amended to read:

17 106.13 (2) The council on workforce investment established under 29 USC  
18 2821, the technical college system board, and the department of public instruction  
19 shall assist the ~~board~~ department in providing the youth apprenticeship program  
20 under sub. (1).

21 **\*b0128/2.16\* SECTION 1838d.** 106.13 (2m) of the statutes is amended to read:

22 106.13 (2m) The ~~board~~ department shall approve occupations and maintain a  
23 list of approved occupations for the youth apprenticeship program. From the  
24 appropriation under s. 20.445 (1) (a), the ~~board~~ department shall develop curricula  
25 for youth apprenticeship programs for occupations approved under this subsection.



1           **\*b0128/2.16\* SECTION 1839d.** 106.13 (3m) (b) (intro.) of the statutes is  
2 amended to read:

3           106.13 (3m) (b) (intro.) From the appropriation under s. 20.445 (1) (e), the  
4 ~~board~~ department shall award grants to applying local partnerships for the  
5 implementation and coordination of local youth apprenticeship programs. A local  
6 partnership shall include in its grant application the identity of each public agency,  
7 nonprofit organization, individual, and other person who is a participant in the local  
8 partnership, a plan to accomplish the implementation and coordination activities  
9 specified in subds. 1. to 6., and the identity of a fiscal agent who shall be responsible  
10 for receiving, managing, and accounting for the grant moneys received under this  
11 paragraph. Subject to par. (c), a local partnership that is awarded a grant under this  
12 paragraph may use the grant moneys awarded for any of the following  
13 implementation and coordination activities:

14           **\*b0128/2.16\* SECTION 1839g.** 106.13 (3m) (b) 6. of the statutes is amended to  
15 read:

16           106.13 (3m) (b) 6. Any other implementation or coordination activity that the  
17 ~~board~~ department may direct or permit the local partnership to perform.

18           **\*b0128/2.16\* SECTION 1839j.** 106.13 (4) (a) 1d. of the statutes is amended to  
19 read:

20           106.13 (4) (a) 1d. "Eligible employer" means an employer that is eligible to  
21 receive a grant under this subsection according to the criteria established by the  
22 ~~board~~ department under par. (d).

23           **\*b0128/2.16\* SECTION 1839m.** 106.13 (4) (b) of the statutes is amended to read:

24           106.13 (4) (b) From the appropriation under s. 20.445 (~~7~~) (1) (em), the ~~board~~  
25 department may award a grant to a public agency or a nonprofit organization, or to

1 an eligible employer that is responsible for the on-the-job training and supervision  
2 of a youth apprentice. A public agency or nonprofit organization that receives a grant  
3 under this subsection shall use the funds awarded under the grant to award training  
4 grants to eligible employers that provide on-the-job training and supervision for  
5 youth apprentices. Subject to par. (c), a training grant provided under this  
6 subsection may be awarded to an eligible employer for each youth apprentice who  
7 receives at least 180 hours of paid on-the-job training from the eligible employer  
8 during a school year, as defined in s. 115.001 (13). The amount of a training grant  
9 may not exceed \$500 per youth apprentice per school year. A training grant may not  
10 be awarded for any specific youth apprentice for more than 2 school years.

11 **\*b0128/2.16\* SECTION 1839p.** 106.13 (4) (c) of the statutes is amended to read:

12 106.13 (4) (c) Notwithstanding par. (b), the ~~board~~ department may award a  
13 training grant under this subsection to an eligible employer that provides less than  
14 180 hours of paid on-the-job training for a youth apprentice during a school year,  
15 as defined in s. 115.001 (13), if the ~~board~~ department determines that it would be  
16 beneficial for the youth apprentice to receive on-the-job training from more than one  
17 eligible employer.

18 **\*b0128/2.16\* SECTION 1839r.** 106.13 (4) (d) of the statutes is amended to read:

19 106.13 (4) (d) The ~~board~~ department shall establish eligibility criteria for a  
20 grant under this subsection. That criteria shall specify that eligibility for a grant  
21 shall be limited to small employers, as determined by the ~~board~~ department, and to  
22 employers providing on-the-job training in employment areas determined by the  
23 ~~board~~ department. Notwithstanding sub. (5), those criteria need not be promulgated  
24 as rules.

25 **\*b0128/2.16\* SECTION 1839t.** 106.13 (5) of the statutes is amended to read:

1           106.13 (5) The board department shall promulgate rules to administer this  
2 section.”.

3           **\*b0216/2.1\* 935.** Page 890, line 14: after that line insert:

4           **\*b0216/2.1\* “SECTION 1839g.** 106.50 (6) (c) 2. of the statutes is amended to  
5 read:

6           106.50 (6) (c) 2. At the conclusion of the investigation of the allegations, the  
7 department shall make a determination as to whether probable cause exists to  
8 believe that discrimination has occurred or is about to occur. In making a  
9 determination of probable cause, the department shall consider whether the facts  
10 concerning the alleged discrimination are sufficient to warrant the initiation of a  
11 civil action. If the department determines that probable cause exists, the  
12 department shall immediately issue a charge on behalf of the aggrieved person and  
13 refer the charge to the attorney general. If the attorney general concurs in the  
14 department’s determination of probable cause, the attorney general shall represent  
15 the aggrieved person at the hearing under par. (f) or, if an election is made under  
16 subd. 2m., shall commence a civil action in the name of the state on behalf of the  
17 aggrieved person under sub. (6m).

18           2m. Service of copies of the charge shall be made on the complainant, the  
19 respondent, and the aggrieved person by certified mail, return receipt requested.  
20 When a charge is filed, a complainant, a respondent, or an aggrieved person on whose  
21 behalf the complaint was filed may elect to have the claims asserted in that charge  
22 decided in a civil action under sub. (6m) in lieu of a hearing under par. (f). The  
23 election shall be made no later than 20 days after the receipt by the electing person  
24 of service of the charge, along with information about how to make the election. If

1 an election is made, the person making the election shall give notice of doing so to  
2 the department and to all other complainants and respondents to whom the charge  
3 relates. The department shall notify the aggrieved persons that an election is made.

4 **\*b0216/2.1\* SECTION 1839i.** 106.50 (6) (d) of the statutes is amended to read:

5 106.50 (6) (d) *Temporary judicial relief.* At any time after a complaint is filed  
6 alleging discrimination in violation of sub. (2), (2m), or (2r), the department may  
7 request the attorney general to file a petition in the circuit court for the county in  
8 which the act of discrimination allegedly occurred or for the county in which a  
9 respondent resides or transacts business, seeking a temporary injunction or  
10 restraining order against the respondent to prevent the respondent from performing  
11 an act that would tend to render ineffectual an order that the department may enter  
12 with respect to the complaint, pending final determination of proceedings under this  
13 section. On receipt of the department's request, the attorney general shall promptly  
14 file the petition.

15 **\*b0216/2.1\* SECTION 1839k.** 106.50 (6) (e) 4. of the statutes is amended to read:

16 106.50 (6) (e) 4. Whenever the department has reasonable cause to believe that  
17 a respondent has breached a conciliation agreement, the department shall refer the  
18 matter to the ~~department of justice~~ attorney general with a recommendation that a  
19 civil action be filed for enforcement of the agreement.

20 **\*b0216/2.1\* SECTION 1839m.** 106.50 (6) (f) 2. of the statutes is amended to  
21 read:

22 106.50 (6) (f) 2. If an election is not made under par. (c) 2, 2m., the hearing shall  
23 be conducted by a hearing examiner. ~~A- If the attorney general has concurred in the~~  
24 department's determination of probable cause under par. (c) 2., the aggrieved person  
25 on whose behalf the charge was issued shall be represented by the attorney general.

1 Any other person who is aggrieved, with respect to the issues to be determined at the  
2 hearing, may be represented by private counsel.

3 \*b0216/2.1\* SECTION 1839n. 106.50 (6) (f) 3. of the statutes is amended to read:

4 106.50 (6) (f) 3. The department, the attorney general, or a party's attorney of  
5 record may issue a subpoena to compel the attendance of a witness or the production  
6 of evidence. A subpoena issued by an attorney shall be in substantially the same  
7 form as provided in s. 805.07 (4) and shall be served in the manner provided in s.  
8 805.07 (5). The attorney shall, at the time of issuance, send a copy of the subpoena  
9 to the hearing examiner who is responsible for conducting the hearing.

10 \*b0216/2.1\* SECTION 1839p. 106.50 (6m) (a) of the statutes is amended to read:

11 106.50 (6m) (a) Any person, ~~including the state~~, alleging a violation of sub. (2),  
12 (2m), or (2r), including the attorney general on behalf of an aggrieved person, may  
13 bring a civil action for injunctive relief, for damages, including punitive damages,  
14 and, in the case of a prevailing plaintiff, for court costs and reasonable attorney  
15 fees.”.

16 \*b0265/1.6\* 936. Page 890, line 22: delete lines 22 to 25.

17 \*b0265/1.7\* 937. Page 891, line 1: delete lines 1 to 5.

18 \*b0022/1.1\* 938. Page 891, line 6: delete the material beginning with that  
19 line and ending with page 896, line 2.

20 \*b0077/P5.7\* 939. Page 896, line 3: delete lines 3 to 6.

21 \*b0418/2.4\* 940. Page 896, line 6: after that line insert:

22 \*b0418/2.4\* “SECTION 1854g. 115.28 (7) (d) of the statutes is renumbered  
23 115.28 (7) (d) 1. and amended to read:

1           115.28 (7) (d) 1. Annually, Except as provided in subd. 2., annually establish  
2 fees for the ~~certification or licensure~~ of school and public library personnel sufficient  
3 to fund ~~certification and licensing~~ administrative costs.

4           **\*b0418/2.4\* SECTION 1854m.** 115.28 (7) (d) 2. of the statutes is created to read:

5           115.28 (7) (d) 2. Charge a fee of \$150 for the initial and renewal teacher license  
6 of each resident applicant.”.

7           **\*b0426/1.4\* 941.** Page 896, line 14: delete lines 14 to 17.

8           **\*b0294/1.2\* 942.** Page 896, line 17: after that line insert:

9           **\*b0294/1.2\* “SECTION 1856m.** 115.28 (52) of the statutes is created to read:

10           115.28 (52) ADULT LITERACY GRANTS. From the appropriation under s. 20.255  
11 (3) (b), award grants to nonprofit organizations, as defined in s. 108.02 (19), to  
12 support programs that train community-based adult literacy staff and to establish  
13 new volunteer-based programs in areas of this state that have a demonstrated need  
14 for adult literacy services. No grant may exceed \$10,000, and no organization may  
15 receive more than one grant in any fiscal year.”.

16           **\*b0302/2.1\* 943.** Page 896, line 17: after that line insert:

17           **\*b0302/2.1\* “SECTION 1856m.** 115.28 (48m) of the statutes is created to read:

18           115.28 (48m) EXPENDITURE OF FEDERAL ADMINISTRATIVE FUNDS. Submit each  
19 proposal for the expenditure of federal administrative funding for federal programs  
20 administered by the department to the joint committee on finance. If the  
21 cochairpersons of the committee do not notify the department within 14 working  
22 days after the date of the proposed expenditure’s submission that the committee has  
23 scheduled a meeting to review the proposed expenditure, the proposed expenditure  
24 may be made. If, within 14 working days after the date of the proposed expenditure’s

1 submission, the cochairpersons of the committee notify the department that the  
2 committee has scheduled a meeting to review the proposed expenditure, the  
3 proposed expenditure may be made only upon the committee's approval.”.

4 **\*b0415/2.3\* 944.** Page 896, line 17: after that line insert:

5 **\*b0415/2.3\*** “SECTION 1856w. 115.28 (54) of the statutes is created to read:

6 115.28 (54) SECOND CHANCE PARTNERSHIP. From the appropriation under s.  
7 20.255 (2) (ep), pay to the Second Chance Partnership, a nonprofit corporation  
8 operating a program in which children at risk participate in apprenticeships while  
9 earning high school diplomas, an amount equal to \$4,160 multiplied by the number  
10 of pupils participating in the program.”.

11 **\*b0393/1.2\* 945.** Page 896, line 22: after that line insert:

12 **\*b0393/1.2\*** “SECTION 1857m. 115.34 (2) of the statutes is amended to read:

13 115.34 (2) The state superintendent shall make payments to school districts  
14 and to, private schools, charter schools under s. 118.40 (2r), the program under s.  
15 115.52, and the center under s. 115.525 for school lunches served to children in the  
16 prior year as determined by the state superintendent from the appropriation under  
17 s. 20.255 (2) (cn). ~~Payments to school districts and to private schools~~ shall equal the  
18 state's matching obligation under 42 USC 1751 et seq. Payments in the current year  
19 shall be determined by prorating the state's matching obligation based on the  
20 number of school lunches served to children in the prior year. In this subsection,  
21 “private school” means any school defined in s. 115.001 (3r) which complies with the  
22 requirements of 42 USC 2000d.”.

23 **\*b0391/1.1\* 946.** Page 896, line 23: delete the material beginning with that  
24 line and ending with page 897, line 4.

1       **\*b0390/1.2\* 947.** Page 897, line 19: delete the material beginning with that  
2 line and ending with page 899, line 3.

3       **\*b0418/2.5\* 948.** Page 900, line 3: delete “(fh),” and substitute “(kg),  
4 beginning in the 2006–07 school year”.

5       **\*b0418/2.6\* 949.** Page 900, line 10: substitute “(kg)” for “(fh)”.

6       **\*b0293/1.3\* 950.** Page 900, line 13: delete lines 13 to 25.

7       **\*b0293/1.4\* 951.** Page 901, line 1: delete lines 1 to 25.

8       **\*b0293/1.5\* 952.** Page 902, line 1: delete lines 1 to 5.

9       **\*b0389/1.2\* 953.** Page 902, line 6: delete lines 6 to 20.

10       **\*b0426/1.5\* 954.** Page 902, line 21: delete the material beginning with that  
11 line and ending with page 904, line 6. ✓

12       **\*b0388/2.1\* 955.** Page 904, line 12: on lines 12 and 25, after “education,”  
13 insert “licensed school nurses,”.

14       **\*b0291/5.1\* 956.** Page 904, line 17: after “need.” insert “A school board may  
15 contract with a charter school to provide special education services to pupils  
16 attending the charter school if the charter school is under contract with the school  
17 board under s. 118.40 (2m) and the charter school is not an instrumentality of the  
18 school district.”.

19       **\*b0291/5.2\* 957.** Page 904, line 17: after that line insert:

20       **\*b0291/5.2\* “SECTION 1877m.** 115.88 (1m) (a) of the statutes is amended to  
21 read:

22       115.88 (1m) (a) If, upon receipt of the plan under s. 115.77 (4), the state  
23 superintendent is satisfied that the special education program has been maintained



1 during the preceding school year in accordance with law, the state superintendent  
2 shall certify to the department of administration in favor of each county, cooperative  
3 educational service agency, and school district maintaining such special education  
4 program a sum equal to the amount expended by the county, agency, and school  
5 district during the preceding year for salaries of personnel enumerated in sub. (1),  
6 including, the salary portion of any authorized contract for physical or occupational  
7 therapy services; the salary portion of any contract to provide special education  
8 services to pupils attending a charter school, as authorized under sub. (1); and other  
9 expenses approved by the state superintendent, as costs eligible for reimbursement  
10 from the appropriation under s. 20.255 (2) (b).”.

11 \*b0291/5.3\* **958.** Page 905, line 7: after that line insert:

12 \*b0291/5.3\* “SECTION 1878c. 115.88 (2m) of the statutes is amended to read:

13 115.88 (2m) OTHER TRANSPORTATION AID. If the operator of a charter school  
14 established under s. 118.40 (2r) or established as a noninstrumentality charter  
15 school under s. 118.40 (2m) transports children with disabilities and the state  
16 superintendent is satisfied that the operator of the charter school is complying with  
17 20 USC 1400 to 1491o, the state superintendent shall certify to the department of  
18 administration in favor of the operator of the charter school a sum equal to the  
19 amount that the operator of the charter school expended during the previous school  
20 year for transportation under this subsection as costs eligible for reimbursement  
21 from the appropriations under s. 20.255 (2) (b). The state superintendent may audit  
22 costs under this subsection and adjust reimbursement to cover only actual, eligible  
23 costs.”.

1       **\*b0413/3.34\* 959.** Page 906, line 14: delete “, (af), and (r)” and substitute  
2       “(r)”.

3       **\*b0022/1.2\* 960.** Page 906, line 16: delete that line.

4       **\*b0291/5.4\* 961.** Page 906, line 21: after that line insert:

5       **\*b0291/5.4\* “SECTION 1883f.** 118.40 (2r) (c) 1. of the statutes is amended to  
6       read:

7       118.40 (2r) (c) 1. Except as provided in subd. subds. 3. and 4., only pupils who  
8       reside in the school district in which a charter school established under this  
9       subsection is located may attend the charter school.

10       **\*b0291/5.4\* SECTION 1883g.** 118.40 (2r) (c) 2. of the statutes is repealed.

11       **\*b0291/5.4\* SECTION 1883r.** 118.40 (2r) (c) 4. of the statutes is created to read:

12       118.40 (2r) (c) 4. A pupil who resides outside the school district operating under  
13       ch. 119 may attend a charter school established under this subsection in the school  
14       district operating under ch. 119, but the charter school shall give preference in  
15       admissions to pupils who reside in the school district operating under ch. 119.”.

16       **\*b0386/1.1\* 962.** Page 906, line 22: delete the material beginning with that  
17       line and ending with page 908, line 10, and substitute:

18       **\*b0386/1.1\* “SECTION 1888m.** 118.43 (2) (g) of the statutes is amended to read:

19       118.43 (2) (g) The department may renew an achievement guarantee contract  
20       under pars. (b), (bg), and (br) for one or more terms of 5 school years. As a condition  
21       of receiving payments under a renewal of an achievement guarantee contract, a  
22       school board shall maintain the reduction of class size achieved during the last school  
23       year of the original achievement guarantee contract for the grades specified for the

1 last school year of the contract, but this condition does not apply to a school district  
2 under sub. (4m).

3 \*b0386/1.1\* **SECTION 1888r.** 118.43 (3) (intro.) of the statutes is amended to  
4 read:

5 118.43 (3) **CONTRACT REQUIREMENTS.** (intro.) Except as provided in pars. (am)  
6 and (ar) and sub. (4m), an achievement guarantee contract shall require the school  
7 board to do all of the following in each participating school:

8 \*b0386/1.1\* **SECTION 1888s.** 118.43 (4m) of the statutes is created to read:

9 118.43 (4m) **EXCEPTIONS.** A school district participating in the program under  
10 this section on or after the effective date of this subsection .... [revisor inserts date],  
11 may choose not to comply with the requirement to reduce class size to 15 in grades  
12 2 or 3, or both, in any school.”.

13 \*b0386/1.2\* **963.** Page 908, line 20: delete the material beginning with that  
14 line and ending with page 909, line 15, and substitute:

15 \*b0386/1.2\* **SECTION 1891t.** 118.43 (6) (b) 9. of the statutes is created to read:

16 118.43 (6) (b) 9. In the 2005–06 and any subsequent school year, \$2,000  
17 multiplied by the number of low-income pupils enrolled in grades eligible for funding  
18 in each school in the school district covered by renewals of contracts under sub. (2)  
19 (g). For purposes of this subdivision, the grades eligible for funding for a school  
20 district under sub. (4m) are those grades in which the school district chooses to  
21 comply with the requirement to reduce class size to 15.”.

22 \*b0424/2.1\* **964.** Page 909, line 15: after that line insert:

23 \*b0424/2.1\* **SECTION 1893m.** 118.43 (6g) of the statutes is created to read:

1           118.43 (6g) MILWAUKEE PUBLIC SCHOOLS. Notwithstanding subs. (3) and (4), the  
2           department shall pay the school district operating under ch. 119 state aid under sub.  
3           (6), if the participating schools comply with either the requirements under subs. (3)  
4           or (4) or the requirements under s. 115.45. For purposes of state aid payments for  
5           participating schools under this subsection, the department shall multiply the per  
6           pupil payment amount by the number of low-income pupils enrolled in grades  
7           eligible for funding under this section.”.

8           \***b0022/1.3\* 965.** Page 909, line 16: delete lines 16 to 24.

9           \***b0035/1.4\* 966.** Page 909, line 25: delete that line.

10          \***b0035/1.5\* 967.** Page 910, line 1: delete lines 1 and 2.

11          \***b0291/5.5\* 968.** Page 910, line 2: after that line insert:

12          \***b0291/5.5\* “SECTION 1895d.** 119.23 (1) (d) of the statutes is created to read:

13          119.23 (1) (d) “Teacher” means a person who has primary responsibility for the  
14          academic instruction of pupils.

15          \***b0291/5.5\* SECTION 1895h.** 119.23 (2) (a) 1. of the statutes is amended to read:

16          119.23 (2) (a) 1. The pupil is a member of a family that has a total family income  
17          that does not exceed an amount equal to 1.75 times the poverty level determined in  
18          accordance with criteria established by the director of the federal office of  
19          management and budget. A pupil attending a private school under this section  
20          whose family income increases may continue to attend a private school under this  
21          section if the pupil is a member of a family that has a total family income that does  
22          not exceed an amount equal to 2.2 times the poverty level determined in accordance  
23          with criteria established by the director of the federal office of management and  
24          budget. For purposes of admission to a private school under this section, siblings of

1 pupils attending a private school under this section are subject to the higher income  
2 limit. If a pupil attending a private school under this section ceases to attend a  
3 private school under this section, the lower income limit applies unless the pupil is  
4 a sibling of a pupil attending a private school under this section.

5 **\*b0291/5.5\* SECTION 1895p.** 119.23 (2) (a) 2. of the statutes is repealed.

6 **\*b0291/5.5\* SECTION 1895t.** 119.23 (2) (a) 6. of the statutes is created to read:

7 119.23 (2) (a) 6. All of the private school's teachers have graduated from high  
8 school or been granted a declaration of equivalency of high school graduation.”.

9 **\*b0413/3.35\* 969.** Page 910, line 2: after that line insert:

10 **\*b0413/3.35\* “SECTION 1895m.** 119.23 (4) (b) 2. of the statutes is amended to  
11 read:

12 119.23 (4) (b) 2. The amount paid per pupil under this paragraph in the  
13 previous school year multiplied by the sum of 1.0 plus the percentage change from  
14 the previous school year to the current school year in the total amount appropriated  
15 under s. 20.255 (2) (ac) and (r) expressed as a decimal, but not less than zero.”.

16 **\*b0173/1.35\* 970.** Page 910, line 3: delete lines 3 to 19.

17 **\*b0413/3.36\* 971.** Page 910, line 22: delete “(af), (bc), (cg), (er), (qr), and (r)”  
18 and substitute “(bc), (cg), and (cr), and (r)”.

19 **\*b0292/4.1\* 972.** Page 911, line 2: after that line insert:

20 **\*b0292/4.1\* “SECTION 1897g.** 121.05 (1) (a) 9. of the statutes is amended to  
21 read:

22 121.05 (1) (a) 9. Pupils enrolled in a charter school, ~~other than a charter school~~  
23 ~~under s. 118.40 (2r).~~

1           **\*b0292/4.1\* SECTION 1897r.** 121.07 (6) (a) (intro.) of the statutes is amended  
2 to read:

3           121.07 (6) (a) (intro.) "Shared cost" is the sum of the net cost of the general fund  
4 and the net cost of the debt service fund, ~~except that "shared cost" excludes including~~  
5 the amount determined by multiplying the number of pupils who attended a charter  
6 school under s. 118.40 (2r) that is located in the school district by the amount paid  
7 by the state for each such pupil under s. 118.40 (2r), but excluding any costs,  
8 including attorney fees, incurred by a school district as a result of its participation  
9 in a lawsuit commenced against the state, beginning with such costs incurred in the  
10 fiscal year in which the lawsuit is commenced, ~~excludes~~ any expenditures from a  
11 capital improvement fund created under s. 120.135, and ~~excludes~~ the costs of  
12 transporting those transfer pupils for whom the school district operating under ch.  
13 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s.  
14 121.85 (6) (am). In this paragraph, "net cost of the debt service fund" includes all of  
15 the following amounts:".

16           **\*b0413/3.37\* 973.** Page 911, line 2: after that line insert:

17           **\*b0413/3.37\* "SECTION 1897m.** 121.07 (7) (b) of the statutes is amended to  
18 read:

19           121.07 (7) (b) The "secondary guaranteed valuation per member" is an amount,  
20 rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09  
21 and 121.85 (6) (b) 2. and 3. and (c), fully distributes an amount equal to the amount  
22 remaining in the appropriations appropriation under s. 20.255 (2) (ac) ~~and (r).~~ ✓

23           **\*b0292/4.2\* 974.** Page 911, line 3: delete that line and substitute:

1           **\*b0292/4.2\*** “SECTION 1898b. 121.08 (4) (a) (intro.) of the statutes is amended  
2   to read:”.

3           **\*b0292/4.3\* 975.** Page 911, line 5: after “district” insert “in which a charter  
4   school under s. 118.40 (2r) is located”.

5           **\*b0413/3.38\* 976.** Page 911, line 6: delete “appropriations” and substitute  
6   “appropriations appropriation”.

7           **\*b0413/3.39\* 977.** Page 911, line 6: delete “, (af), and(r)” and substitute “(r)”.

8           **\*b0292/4.4\* 978.** Page 911, line 8: delete lines 8 to 13 and substitute:

9           **\*b0292/4.4\*** “SECTION 1898e. 121.08 (4) (a) 1. of the statutes is repealed and  
10   recreated to read:

11           121.08 (4) (a) 1. Divide the number of pupils who in the current school year are  
12   attending charter schools under s. 118.40 (2r) that are located in the school district  
13   by the total number of pupils who in the current school year are attending charter  
14   schools under s. 118.40 (2r).

15           **\*b0292/4.4\* SECTION 1898m.** 121.08 (4) (a) 2. of the statutes is repealed and  
16   recreated to read:

17           121.08 (4) (a) 2. Multiply the sum of the amounts paid under s. 118.40 (2r) in  
18   the current school year by the school district’s quotient under subd. 1.

19           **\*b0292/4.4\* SECTION 1898s.** 121.08 (4) (a) 3. of the statutes is repealed.”.

20           **\*b0413/3.45\* 979.** Page 911, line 16: delete “appropriations” and substitute  
21   “appropriations appropriation”.

22           **\*b0413/3.46\* 980.** Page 911, line 16: delete “, (af), and” and substitute “and”.

23           **\*b0413/3.47\* 981.** Page 911, line 17: delete “(r)” and substitute “(r)”.

1       **\*b0292/4.5\* 982.** Page 911, line 18: after that line insert:

2       **\*b0292/4.5\* "SECTION 1899m.** 121.08 (4) (d) of the statutes is amended to read:

3       121.08 (4) (d) The state superintendent shall ensure that the total amount of  
4       aid reduction under pars. (a) and (b) lapses to the general fund and that the aid  
5       reduction under par. (a) does not affect the amount determined to be received by a  
6       school district under this section for any other purpose.".

7       **\*b0415/2.4\* 983.** Page 911, line 18: after that line insert:

8       **\*b0415/2.4\* "SECTION 1899d.** 121.08 (4) (c) of the statutes is created to read:

9       121.08 (4) (c) The amount of state aid that a school district is eligible to be paid  
10       from the appropriation under s. 20.255 (2) (ac) shall also be reduced by an amount  
11       equal to the amount paid to the Second Chance Partnership under s. 115.28 (54) for  
12       pupils enrolled in the school district. The department shall ensure that the amount  
13       of the aid reduction lapses to the general fund and that it does not affect the amount  
14       determined to be received by a school district as state aid under this section for any  
15       other purpose."

16       **\*b0413/3.48\* 984.** Page 911, line 19: delete the material beginning with that  
17       line and ending with page 914, line 14.

18       **\*b0387/1.1\* 985.** Page 914, line 24: delete "\$40" and substitute "\$35".

19       **\*b0387/1.2\* 986.** Page 915, line 3: delete "\$65" and substitute "\$55".

20       **\*b0387/1.3\* 987.** Page 915, line 6: delete "\$120" and substitute "\$110".

21       **\*b0387/1.4\* 988.** Page 915, line 12: delete "\$200" and substitute "\$180".

22       **\*b0387/1.5\* 989.** Page 916, line 6: delete "\$16" and substitute "\$15".

23       **\*b0373/2.24\* 990.** Page 916, line 11: delete lines 11 to 15.



1           **\*b0377/2.1\* 991.** Page 916, line 15: after that line insert:

2           **\*b0377/2.1\* "SECTION 1909m.** 121.85 (6) (am) 5. of the statutes is amended to  
3 read:

4           121.85 (6) (am) 5. In the 2004–05 school year and each school year thereafter,  
5 the number of pupils whose parents or guardians have not provided the board of  
6 school directors with written consent to a pupil transfer to another attendance area.

7           **\*b0377/2.1\* SECTION 1909r.** 121.85 (6) (am) 6. of the statutes is created to read:

8           121.85 (6) (am) 6. In the 2005–06 school year and in each school year thereafter:

9           a. Subtract from 95% the percentage of pupils whose parents or guardians have  
10 provided the board of school directors with written consent to a pupil transfer to  
11 another attendance area.

12           b. Multiply the result under subd. 6. a. by the total number of transfer pupils  
13 under par. (a) in the current school year.”.

14           **\*b0413/3.49\* 992.** Page 916, line 16: delete the material beginning with that  
15 line and ending with page 917, line 7.

16           **\*b0292/4.6\* 993.** Page 917, line 7: after that line insert:

17           **\*b0292/4.6\* "SECTION 1912m.** 121.90 (1) (f) of the statutes is created to read:

18           121.90 (1) (f) In determining a school district’s revenue limit for the 2005–06  
19 school year or for any school year thereafter, the department shall include in the  
20 number of pupils enrolled in each school year prior to the 2005–06 school year all  
21 pupils attending charter schools under s. 118.40 (2r) that are located in the school  
22 district.”.

23           **\*b0414/5.1\* 994.** Page 917, line 12: delete lines 12 to 17.

1           **\*b0414/5.2\* 995.** Page 917, line 19: delete “and, (4), and (8)” and substitute  
2           “and (4)”.

3           **\*b0414/5.3\* 996.** Page 917, line 20: delete “school year or for any” and  
4           substitute “, 2000–01, 2001–02, 2002–03, 2003–04, or 2004–05 school year ~~or for~~  
5           any”.

6           **\*b0414/5.5\* 997.** Page 917, line 21: after that line insert:

7           **\*b0414/5.5\* “SECTION 1915d.** 121.91 (2m) (f) of the statutes is created to read:

8           121.91 (2m) (f) Except as provided in subs. (3), and (4) no school district may  
9           increase its revenues for the 2005–06 school year to an amount that exceeds the  
10          amount calculated as follows:

11          1. Divide the sum of the amount of state aid received in the previous school year  
12          and property taxes levied for the previous school year, excluding property taxes  
13          levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)  
14          (c), by the average of the number of pupils enrolled in the 3 previous school years.

15          2. Add \$120 to the result under subd. 1.

16          3. Multiply the result under subd. 2. by the average of the number of pupils  
17          enrolled in the current and the 2 preceding school years.

18          **\*b0414/5.5\* SECTION 1915e.** 121.91 (2m) (g) of the statutes is created to read:

19          121.91 (2m) (g) Except as provided in subs. (3) and (4), no school district may  
20          increase its revenues for the 2006–07 school year or for any school year thereafter  
21          to an amount that exceeds the amount calculated as follows:

22          1. Divide the sum of the amount of state aid received in the previous school year  
23          and property taxes levied for the previous school year, excluding property taxes

1 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)  
2 (c), by the average of the number of pupils enrolled in the 3 previous school years.

3 2. Add \$100 to the result under subd. 2.

4 3. Multiply the result under subd. 2. by the average of the number of pupils  
5 enrolled in the current and the 2 preceding school years.

6 **\*b0414/5.5\* SECTION 1915f.** 121.91 (2m) (r) 1. (intro.) of the statutes is  
7 amended to read:

8 121.91 (2m) (r) 1. (intro.) Notwithstanding pars. (c), (d) and (e) to (g), if a school  
9 district is created under s. 117.105, its revenue limit under this section for the school  
10 year beginning with the effective date of the reorganization shall be determined as  
11 follows except as provided under subs. (3) and (4):

12 **\*b0414/5.5\* SECTION 1915g.** 121.91 (2m) (r) 1. b. of the statutes is amended  
13 to read:

14 121.91 (2m) (r) 1. b. Add an amount equal to the amount of revenue increase  
15 per pupil allowed under this subsection for the previous school year multiplied by the  
16 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal  
17 \$120 to the result under subd. 1. a. to compute the limit for the 2005–06 school year,  
18 and add \$100 to the result under subd. 1. a. to compute the limit for any school year  
19 thereafter.

20 **\*b0414/5.5\* SECTION 1915h.** 121.91 (2m) (r) 2. of the statutes is amended to  
21 read:

22 121.91 (2m) (r) 2. If a school district is created under s. 117.105, the following  
23 adjustments to the calculations under pars. (c), (d) and (e) to (g) apply for the 2 school  
24 years beginning on the July 1 following the effective date of the reorganization:

1 a. For the school year beginning on the first July 1 following the effective date  
2 of the reorganization the number of pupils in the previous school year shall be used  
3 under pars. (c) 1., (d) 1. ~~and~~, (e) 1., (f) 1., and (g) 1. instead of the average of the number  
4 of pupils in the 3 previous school years, and for the school year beginning on the 2nd  
5 July 1 following the effective date of the reorganization the average of the number  
6 of pupils in the 2 previous school years shall be used under pars. (c) 1., (d) 1. ~~and~~, (e)  
7 1., (f) 1., and (g) 1. instead of the average of the number of pupils in the 3 previous  
8 school years.

9 b. For the school year beginning on the first July 1 following the effective date  
10 of the reorganization the average of the number of pupils in the current and the  
11 previous school years shall be used under pars. (c) 4., (d) 4. ~~and~~, (e) ~~3.~~ 4., (f) 3., and  
12 (g) 3. instead of the average of the number of pupils in the current and the 2 preceding  
13 school years.”.

14 \*b0414/5.4\* **998.** Page 917, line 21: delete “school year thereafter” and  
15 substitute “~~school year thereafter~~”.

16 \*b0414/5.6\* **999.** Page 918, line 7: delete that line and substitute:

17 “121.91 (4) (f) 1. For the 1999–2000 school year.”.

18 \*b0414/5.7\* **1000.** Page 918, line 11: after “(e)” insert “, (f), or (g)”. ✓

19 \*b0414/5.8\* **1001.** Page 918, line 12: after that line insert:

20 \*b0414/5.8\* “**SECTION 1919d.** 121.91 (4) (f) 2. of the statutes is amended to  
21 read:

22 121.91 (4) (f) 2. Any additional revenue received by a school district as a result  
23 of subd. 1. shall not be included in the base for determining the school district’s limit  
24 under sub. (2m) (e), (f), or (g) for the following school year.”.

1       **\*b0414/5.9\* 1002.** Page 918, line 13: delete lines 13 to 20. ✓

2       **\*b0204/1.1\* 1003.** Page 919, line 5: after “suspended” insert “or to request  
3 a hearing”. ✓

4       **\*b0204/1.2\* 1004.** Page 919, line 7: after “response” insert “or a written  
5 request for an evidentiary hearing before the department under s. 227.44”.

6       **\*b0204/1.3\* 1005.** Page 919, line 8: delete “par. (d)” and substitute “pars. (d)  
7 1. and (dm), if no request for an evidentiary hearing is made under par. (b)”.

8       **\*b0204/1.4\* 1006.** Page 919, line 9: after “a response” insert “or request for  
9 hearing”.

10       **\*b0204/1.5\* 1007.** Page 919, line 14: after that line insert:

11       **\*b0204/1.5\*** “(cm) Subject to pars. (d) 2. and (dm), if a request for an  
12 evidentiary hearing is made under par. (b), the hearing shall be conducted in the  
13 manner specified for a contested case under ss. 227.44 to 227.50, except that the  
14 hearing shall be conducted within 45 days of receiving the request for hearing under  
15 par. (b) and the department shall make its written decision, including whether a  
16 violation has occurred and whether the complaint is dismissed or action is taken  
17 under par. (e), within 15 days after the hearing. In addition to service of the decision  
18 as provided under s. 227.48, the department shall provide a copy of the decision to  
19 the complainant.”.

20       **\*b0204/1.6\* 1008.** Page 919, line 15: delete “Within” and substitute “1. If no  
21 request for an evidentiary hearing is made under par. (b), within”.

22       **\*b0204/1.7\* 1009.** Page 919, line 16: after “response” insert “or request for  
23 hearing”.

1       **\*b0204/1.8\* 1010.** Page 919, line 19: after that line insert:

2       **\*b0204/1.8\*** “2. If a request for an evidentiary hearing is made under par. (b),  
3       within 45 days of receiving the request for hearing under par. (b), the department  
4       may extend the time period for conducting the hearing by an additional 45 days if  
5       the department provides notice within 45 days of receiving the request for hearing  
6       under par. (b) that an additional 45 days is necessary for investigation.

7       (dm) Within 45 days of receiving any response or request for hearing under par.  
8       (b) or, if no response or request for hearing is made, within 45 days of the date on  
9       which a response or request for hearing is due under par. (b), the department may  
10      elect to file a complaint in circuit court under sub. (4) that includes all allegations of  
11      the complaint under par. (a) for which the department determines there is cause to  
12      find that a violation of s. 125.54 (7) (a) has occurred. If the department files a  
13      complaint in circuit court as provided under this paragraph, the department shall  
14      not conduct a hearing under par. (cm) or make a written decision under par. (c), but  
15      shall proceed with the matter as provided under sub. (4).”.

16      **\*b0204/1.9\* 1011.** Page 919, line 20: after “allegations” insert “under par.  
17      (a)”.

18      **\*b0204/1.10\* 1012.** Page 919, line 24: after “suspension” insert  
19      “proceeding”.

20      **\*b0204/1.11\* 1013.** Page 919, line 25: after “227” insert “, except that ss.  
21      227.44 to 227.50 apply to a proceeding under this subsection only if a request for an  
22      evidentiary hearing is made under par. (b)”.

23      **\*b0204/1.12\* 1014.** Page 920, line 8: delete “If any” and substitute “(1) An”.

24      **\*b0204/1.13\* 1015.** Page 920, line 10: after “association” insert “that”.

1 *insert 809-10* \*b0204/1.14\* **1016.** Page 920, line 11: delete "(a), and the" and substitute "(a)  
2 may bring an action to enforce the provisions of s. 125.54 (7) if any of the following  
3 apply:

4 (a) The".

5 \*b0204/1.15\* **1017.** Page 920, line 12: delete the material beginning with  
6 "and" and ending with "and" on line 13 and substitute "to (d).

7 (b) The department has rendered a decision under s. 125.12 (6) in which the  
8 department has determined that a violation has occurred but no action has been  
9 brought in circuit court by the department, attorney general, or a district attorney  
10 to prosecute the violation.

11 (2) An intoxicating liquor wholesaler, intoxicating liquor retail licensee or  
12 permittee, or intoxicating liquor trade association that brings an action under sub.  
13 (1)".

14 \*b0204/1.16\* **1018.** Page 920, line 20: after "permit" insert ", or at any  
15 warehouse premises for which the permittee under this section also holds a permit  
16 issued under s. 125.19,".

17 \*b0204/1.17\* **1019.** Page 921, line 7: delete the material beginning with "In"  
18 and ending with "wholesaler" on line 8 and substitute "A wholesaler".

19 *insert 810-13* \*b0204/1.18\* **1020.** Page 921, line 8: after "subsection" insert "shall be fined  
20 not more than \$10,000. In addition, a court shall order the wholesaler".

21 \*b0204/1.19\* **1021.** Page 921, line 10: on lines 10, 13 and 16, delete "may"  
22 and substitute "shall".

1           **\*b0204/1.20\* 1022.** Page 921, line 11: delete the material beginning with  
2 “except” and ending with “revoked” on line 12.

3           **\*b0204/1.21\* 1023.** Page 921, line 13: delete the material beginning with  
4 “In” and ending with “court” and substitute “A court”.

5           **\*b0204/1.22\* 1024.** Page 922, line 4: after that line insert:

6           **\*b0204/1.22\* “SECTION 1924m.** 125.68 (10) (bs) of the statutes is amended to  
7 read:

8           125.68 (10) (bs) No individual may resell wine received under par. (bm) or  
9 receive more than 9 27 liters of wine annually under par. (bm).”.

10           **\*b0202/P3.3\* 1025.** Page 922, line 5: delete the material beginning with that  
11 line and ending with page 925, line 2.

12           **\*b0202/P3.4\* 1026.** Page 926, line 1: delete lines 1 to 4.

13           **\*b0202/P3.5\* 1027.** Page 926, line 8: delete lines 8 to 20.

14           **\*b0130/1.7\* 1028.** Page 926, line 21: delete the material beginning with that  
15 line and ending with page 927, line 21.

16           **\*b0046/1.4\* 1029.** Page 927, line 22: delete the material beginning with that  
17 line and ending with page 928, line 19.

18           **\*b0046/1.5\* 1030.** Page 929, line 3: delete lines 3 to 7.

19           **\*b0202/P3.6\* 1031.** Page 930, line 3: delete lines 3 to 14 and substitute:

20           **\*b0202/P3.6\* “SECTION 1954b.** 139.30 (4n) of the statutes is created to read:  
21 139.30 (4n) “Government issued identification” includes a valid driver’s  
22 license, state identification card, passport, or military identification.”.

23           **\*b0202/P3.7\* 1032.** Page 930, line 19: delete lines 19 to 22.



1           **\*b0202/P3.8\* 1033.** Page 931, line 12: delete lines 12 to 15.

2           **\*b0202/P3.9\* 1034.** Page 932, line 8: delete lines 8 to 10.

3           **\*b0202/P3.10\* 1035.** Page 933, line 3: delete the material beginning with  
4 that line and ending with page 934, line 7.

5           **\*b0202/P3.11\* 1036.** Page 934, line 14: delete the material beginning with  
6 that line and ending with page 938, line 13, and substitute:

7           **\*b0202/P3.11\* "SECTION 1979b.** 139.345 of the statutes is created to read:

8           **139.345 Direct marketing.** (1) (a) (intro.) No person may sell cigarettes to  
9 consumers in this state as a direct marketer unless the person submits to the  
10 department the person's name, trade name, address of the person's principal place  
11 of business, phone number, e-mail address, and Web site address.

12           (b) No person may sell cigarettes as described under this section unless the  
13 person certifies to the department, in the manner prescribed by the department, that  
14 the person shall acquire stamped cigarettes from a licensed distributor or  
15 unstamped cigarettes from the manufacturer thereof, pay the tax imposed under this  
16 subchapter on all unstamped cigarettes and affix stamps to the cigarette packages  
17 or containers as provided under s. 139.32 (1), store such packages or containers, and  
18 sell only such packages or containers to consumers in this state by direct marketing;  
19 or acquire cigarettes from a distributor, to the packages or containers of which  
20 stamps have been affixed as provided under s. 139.32 (1), and sell only such packages  
21 or containers to consumers in this state by direct marketing.

22           (d) No person may sell cigarettes as described in this section unless the person  
23 certifies to the department, in the manner prescribed by the department, that the  
24 person shall register with credit card and debit card companies; that the invoices and

1 all means of solicitation for all shipments of cigarette sales from the person shall bear  
2 the person's name and address; and that the person shall provide the department any  
3 information the department considers necessary to administer this section.

4 (2) No person may sell cigarettes to consumers in this state by direct marketing  
5 unless the tax imposed under s. 77.52 or 77.53 is paid on the sale of such cigarettes.

6 (3) No person may sell cigarettes to consumers in this state unless the person  
7 does all of the following:

8 (a) Verifies the consumer's name and address and that the consumer is at least  
9 18 years of age by any of the following methods:

10 1. The person uses a database that includes information based on public  
11 records.

12 2. The person receives from the consumer, at the time of purchase, a copy of a  
13 government issued identification.

14 3. The person uses a mechanism, other than a mechanism specified under subd.  
15 1. or 2., that is approved by the department.

16 (b) Obtains from the consumer, at the time of purchase, a statement signed by  
17 the consumer that confirms all of the following:

18 1. The consumer's name, address, and birth date.

19 2. That the consumer understands that no person who is under 18 years of age  
20 may purchase or possess cigarettes or falsely represent his or her age for the purpose  
21 of receiving cigarettes, as provided under s. 254.92.

22 3. That the consumer understands that any person who, for the purpose of  
23 obtaining credit, goods, or services, intentionally uses, attempts to use, or possesses  
24 with intent to use, any personal identifying information or personal identification  
25 document of an individual, including a deceased individual, without the

1 authorization or consent of the individual and by representing that he or she is the  
2 individual, that he or she is acting with the authorization or consent of the  
3 individual, or that the information or document belongs to him or her, is guilty of a  
4 Class H felony, as provided under s. 943.201.

5 (4) Any person who makes a sale of cigarettes by means of the Internet shall,  
6 at the time of purchase, obtain the purchaser's electronic mail address and shall  
7 receive payment for the sale by credit card, debit card, or check prior to shipping.

8 (5) The invoice for any shipment of cigarettes sold to consumers in this state  
9 by direct marketing shall specify the name and address of the seller and any valid  
10 permit issued under s. 139.34 that is held by the seller.

11 (6) All packages of cigarettes shipped to consumers in this state shall be clearly  
12 labelled "CIGARETTES" on the outside of such packages.

13 (7) (a) No person may deliver a package of cigarettes sold by direct marketing  
14 to a consumer in this state unless the person making the delivery receives a  
15 government issued identification card from the person receiving the package and  
16 verifies that the person receiving the package is at least 18 years of age. If the person  
17 receiving the package is not the person to whom the package is addressed, the person  
18 delivering the package shall have the person receiving the package sign a statement  
19 that affirms that the person to whom the package is addressed is at least 18 years  
20 of age.

21 (b) No person may deliver a package of cigarettes to a consumer in this state  
22 unless the seller of the cigarettes provides proof to the person making the delivery  
23 that the seller has complied with all requirements under this subchapter. A seller  
24 shall have no course of action against any person who refuses to deliver cigarettes  
25 as provided under this subdivision."